

Maryland Historical Trust – Maryland Commission on Indian Affairs
Working Group on Native American Human Remains
Minutes of the Fourth Meeting
January 31, 2009

The fourth Maryland Historical Trust (MHT) – Maryland Commission on Indian Affairs (MCIA) Working Group (Working Group) on Native American Human Remains Meeting was held at The White Marsh branch of the Baltimore County Public Library, 8133 Sandpiper Circle Baltimore, MD, 21236, on January 31, 2009.

Working Group Members Present: Tom Bodor, Claude Bowen, Virginia Busby, Chief Sewell Fitzhugh, Bob Gajdys, Gina Hamlin, Richard Hughes, Maureen Kavanagh, Rico Newman, Bob Wall.

Staff Present: Charlie Hall (MHT, State Terrestrial Archeologist) and Keith Colston (MCIA Executive Director)

Members of the Public Present: Caroline S. Brohawn, H. F. Brohawn, III, Jackson Davies Brohawn, Kate Dinnel, Susan Driscoll, Carol A. Ebright, Stephen Israel, Guy Wells.

1. Call to order and reading of the minutes.

Co-chair Maureen Kavanagh called the meeting to order at 10:30 AM. The minutes of the third meeting, held on January 3, 2009, were distributed to all Working Group members, and time was given for their consideration. A motion to accept the minutes was made by Bob Gajdys, seconded by Claude Bowen, and was approved unanimously.

2. Introduction.

Co-chairs Kavanagh and Virginia Busby introduced themselves and welcomed all visitors to the meeting. The Working Group designees and staff introduced themselves, and an opportunity was afforded the visitors to introduce themselves.

3. Presentation: What we can learn from study of human remains.

Co-chair Kavanagh introduced Dr. Dana Kollmann, a physical/forensic anthropologist on the faculty of Towson University's Department of Sociology, Anthropology, and Criminal Justice. Dr. Kollmann has extensive experience with the study of human skeletal remains of many ethnicities and nationalities, both present and past, and is known to many among the Maryland Indian community for her work. She recently inventoried and sorted the human remains recovered from an ossuary inadvertently discovered during the excavation of a house footer near Salisbury, MD., prior to their reburial.

Dr. Kollman presented an overview of the two types of study of human skeletal remains, and noted that physical anthropologists view skeletal remains as constituting a "material memory" of the people who preceded us. Most study of human skeletal remains is non-destructive and includes taking measurements and making observations of the form and size of the remains. These observations can provide information on demography, diet, diseases, and living conditions. Skeletal remains also preserve information about certain cultural practices,

including such things as medical treatments, burial treatments, childbirth practices, and repeated/habitual activities. Other types of non-destructive study can include technological means of observing and measuring features, such as X-ray, CAT scans (computed axial tomography), PET scans (positron emission tomography), or SEM (Scanning Electron Microscopy). These enhanced means of observation can provide additional information about diet, growth, disease, and injury.

Other kinds of information are now available through types of study that are termed destructive, in that they involve either the consumption of a small amount of material from either a bone or tooth, or the cutting to create thin sections of either a bone or tooth. These types of analysis can inform about such topics as individual or population affinity (DNA), population movements/migrations (stable isotope analysis).

In response to questions, Dr. Kollmann explained that non-destructive analysis will yield approximately 80% of the information a physical anthropologist would glean from human skeletal remains. Discussion of destructive analysis led to a question, and an allegation, regarding such analysis of the remains currently in the Appropriate Place of Repose. MHT staff stated that no destructive analysis of any of the remains in the Appropriate Place of Repose had been conducted. Dr. Kollmann was asked to explain what analysis has already occurred, and what has not yet occurred, on the remains in the Appropriate Place of Repose. She explained that the Native American Graves Protection and Repatriation Act (NAGPRA) required inventory involved all remains except those recovered from the Accokeek Creek Site, and included (1) an inventory of all skeletal elements present, and observations relevant to (2) burial environment, and (3) trauma. Sub-adults were also X-rayed. No destructive analysis was conducted as part of this NAGPRA inventory. Also not done as part of the NAGPRA inventory were any observations of (1) dental enamel hypoplasia, and (2) bone robusticity, or (3) the digitizing of crania.

4. Future Meetings

The following future meeting dates were agreed to:

- February Meeting, Saturday the 21st of February, 10 AM until 3 PM, place to be determined.
- March Meeting, Saturday the 28th of March, time and place to be determined

The Working Group felt that these two future meeting should be sufficient to arrive at preliminary recommendations that could be taken to the Public for comment. It was agreed that the April and May meetings would be the two Public Input Meetings required by the Consultation Document, and that these meetings would both be held in Annapolis:

- April Meeting, Friday the 17th of April, 7 PM until 9 PM, Annapolis location to be determined.

- May Meeting, Thursday the 14th of May, 7 PM until 9 PM, Annapolis location to be determined.

5. Discussion: What we can all agree to

Chief Fitzhugh offered the position of the Chief's Council as a starting point for discussions:

- All remains in the Appropriate Place of Repose are to be reinterred in a traditional way as soon as possible.
- Four locations, in each of the cardinal directions, should be used for reburial.

Discussion followed concerning:

- Security on private lands, and the implications for state and federal law and regulations. Some among the MCIA designees would prefer that the remains be reinterred by the Maryland Indian community in locations unknown to others, while some MHT designees feel that protection of the remains would be enhanced by some measure of state control.
- The manner of reinterment and the possibility of creating "conditions conducive to . . . long term preservation" (as required by state regulations, COMAR 05.07.09 (C) (2)). It was pointed out by some designees that future requests to repatriate the remains, and to study the remains, would benefit from reburial in conditions favorable to their preservation. Some MHT designees feel that while most of the remains have little research value, some represent unique population samples, and could reveal important information concerning the Native American past. An MHT designee suggested adopting a process that included the Maryland Indian community for reviewing any study proposal. Some MCIA designees expressed opposition to this.
- Study of the remains prior to reinterment. This was offered by an MCIA designee as an alternative to possible future study, with consideration of a period of time during which study could occur. An MHT designee noted that technology was always improving, and that methods we cannot conceive of today will be available in the future.
- Treatment of Native American human remains recovered in the future. An MCIA designee offered that future techniques could be discussed for any remains recovered in the future, but that those in the Appropriate Place of Repose had been held long enough and should be returned to the Earth as soon as possible, with discussion of "the second phase" deferred until after the reinterment. MHT designees responded that if a two "phase" plan was envisioned, both parts should be discussed prior to implementation of either.

The meeting adjourned at 3:45 PM.